App. F. IX-4

13201

Previous References.

A-107-46-4,5.

1947-48

(S.D.)

A

File No. 15-47

Serial Nos. 39, 40

Later References.

GENERAL AND REVENUE SECRETARIAT

Serial Nos. Two.

14 Reserve

July 48

Part B for

SUBJECT

Land occupied by Govt Reserve Fuel Depot Fraser Town

Notes:- pb 5 to 7

Corr:- pb 6

The C.E.S. Civil Stn. Comptr Kuala F.S.

S.D. 253-4/A 15-47-40 dy 8.7.48

Rajeshwara Rao.

20.9.48

Re:— Land occupied by the Govt:
Reserve fuel Depot, Fraser Town B'lore.
D. 4540

Letter no. 297/ F/48 (FD) dated 22nd January 1948, from the Collector & Controller of C.S. civil Stn., Bangalore, requesting for the reasons stated, Commandeering of the entire premises of No. 1., Moor Road, Fraser Town B'lore.

The Govt fuel Reserve depot, civil Stn is located on the compound of No. 1., Moor Road, Fraser Town, B'lore ever since 15.10.44, on a monthly rent of Rs 100/ p.m. The Collector now reports that the occupation of a part of the building by outsiders and the presence of the Mali & his family in the outhouse makes it difficult for the department to prevent risk of fire and loss to Govt. He therefore suggests that the entire premises may be commandeered for the use of Govt depot, after fixing a fair rent.

2) Neither the insurance Co nor the Collector has so far objected to a portion of the building being used by outsiders for dwelling purposes, ever since the fuel Reserve depot is located there viz:— 15.10.44

Moreover, the present agreement with the

L.dis.10.48 - Petn. for [illegible]

[illegible] supply [illegible] expires by the end of June 48
Now that the progressive policy of Govt. is the
gradual decontrol of all articles, the
question of continuance of such supply
arrangements may not arise. Orders
have been communicated to the Collector,
in letter No. 3.046.13 dt. 20.12.47, that the
present period of insurance of reserve sites
may run out its period and no
renewal of the policy need be undertaken
the policy will thus lapse on 25.6.48.
and the other has lapsed on 13.12.47.
In these circumstances, the request of
the Collector for Commandeering the
entire premises, is for orders.

Res
1/2 Sup/2

3) I ask the Collector to
estimate the financial implications of
his proposal and also to state whether, in
view of the fact that fuel will not be
Continued to be issued as instructed
separately, his present proposal is necessary

[illegible] 10/2

4) Draft letter is for appl

5) Issue

[illegible]

45 Leo

To
The Collector & Controller of C.S.
Civil Station B'lore

Requests him to intimate the financial implications of ~~the~~ the proposals.
S.D 6050 dated 13.2.48

B/13/-
Leave
Ins 17/2/48
Dr

Letter no 297/F/48 F.D. dated 4th June 1948 from the Collector and Controller of C. S. Civil Station Bangalore. Requests approval for payment of rent for the room and hall used for the Asst Asst Fuel officer, and for the mille centre at the rate of Rs 87- and Rs 10/- p.m. respectively from 26.2.1948.

6) The Govt. Fuel Reserve depot in the Civil Station Bangalore, is located in the above premises, and on payment of a ~~reduced~~ rent of Rs 100/- p.m. for the Vacant Space, excluding the building.

7) It is now reported by the Collector that a room and a hall are also

Re:- Commencing of premises No 1.
— @ Civil Station

7423.

being made use of by the Food deptt, for locating the Office of the Asst Fuel Inspector, and for the distribution of Milk. ~~Cont~~

8) The House Rent controller to whom the trustees had applied for determination of a fair rent, has fixed the rent as under.

Asst. Fuel Officer Room Rs 8/- P.M.
Milk centre Hall Rs 10/- P.M.

It has also been directed by the Controller that the fair rent fixed by him should come into effect from 26.2.48.

9) ~~It~~ The rent of Rs 100/- is already being paid by the Controller, for the accommodation space continues to be paid by the Controller, ~~the~~ ~~Proposals of the Collector~~ ~~& so~~ ~~are~~ ~~the~~

* The Present Proposal of the controller is for payment of rent for the Room and Hall occupied by the Deptt, from 26.2.48 at the above mentioned rates. The Proposal is for orders

X. May be approved with financial Concurrence

18/6

Food Secy

18/6 inf

Fin. Secy D.16.

29/6 inf

28/6 we

GENERAL & REVENUE SECTT. U. O. NO. FL 9095 23 JUN 1948 FINANCE DEPTT. BANGALORE.

18/6

Commandeering of premises No. 1 Moore Road, Fraser Town.

D. 7423

Draft G.O is put up. for approval,

30/6.

Issue
1/7/48

Fi Comm No. 150
Fin Secy has agreed
Draft r/fair subd

12/7 13/7

Issued
13/7

To.

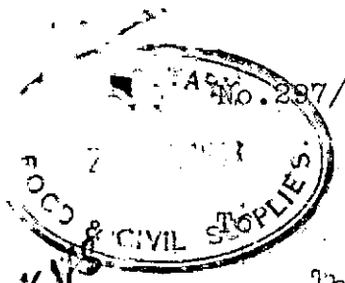
The collector Civil Stn.

Comptr. to Govt.

G.O. S.D. 253-4/A 15-47-40 dy 14.7.48

Sanctions payment of rent @ Rs 81 and Rs 10/ pm to the room & hall in the premises of No. 1. Moore Road, Fraser Town, w.e.f 26.2.48.

1.8.



No.287/F/48(FD)

Office of the Collector and
Controller of Civil Supplies,
Civil Station, Bangalore,
Dated 22nd January 1948.

The Secretary to the Government of His Highness the
Maharaja of Mysore (Food Department),
Bangalore.

27 JAN 1948
4540

Sir,

Subject:-Land occupied by the Government Reserve
Fuel Depot, Fraser Town, Bangalore.

The Government Fuel Reserve Depot is located in the compound of Late Annaswamy Mudaliar's School, No.1, Moor Road, Fraser Town, Bangalore. The late Mr. B.A. Achutharaya Mudaliar, who claimed to be the owner of the above land agreed to the location of the Reserve Fuel Depot in the compound of the School. On his death, it was however found that it was a trust property. The Collector of the Station filed a Scheme Suit for the administration of the trust properties and the Official Receiver was appointed by the District Judge to take charge of the estate properties. The Collector also fixed a sum of Rs.100/- per month as rent for the land exoluding building with effect from 15-10-44, the date of its occupation by this department. The rent is now being paid to the Official Receiver.

There are two outhouses and a main building in the compound of the depot. One of the outhouses was being occupied by a Mali and his family before the land was taken over by this department. As no cooking can be allowed in this place, the Collector of the Station initiated eviction proceedings before the House Rent Controller who has directed the Mali to vacate the place. But he preferred an appeal to the Hon'ble the Resident who set aside the order on the ground that there is no relationship of landlord and tenant between the appellant and respondent. The Official Receiver was therefore requested in July 1947 to effect the eviction of Mali. But he has taken no action so far inspite of several reminders and my personal discussion in the matter. The occupant of the other outhouse has vacated on a direction by the Rent Controller.

There was a retail ration depot and a kerosene oil depot in portion of the main building. These have since been shifted at my instance as it is contrary to the terms of the Fire Insurance Contract to permit the sale of Kerosene Oil in or about the vicinity of the Fuel Depot and public have free access to the Fuel Stock on account of the location of the grains depot.

A major portion of the main building is occupied by this department for running Government Milk Centre with effect from 14-2-1946. The room formerly occupied by retail ration depot keeper for which a rent of Rs.7-8-0 per month was paid by him to the Official Receiver is used by this department from 5-11-1947 for running Fuel Office. One room in the main building is occupied by Annaswamy Mudaliar S/O Late Achutharaya Mudaliar, the first defendant in the Scheme Suit with the consent of the Official Receiver, and another is in the occupation of the Official Receiver's building contractor.

P.t.o. 28.1

Appendix F G—1] No. 4

SUBJECT..... Commandeering of premises No 1, Moor Road Fraser Town Bangalore.

TYPED 13/2/48

Diary No. of letter replied to.....

General and Revenue Secretariat

(—)

the 19 .

Date of issue.....

Signed by .....

List of enclosures ..... Commandeer the above premises,

Copied by .....

Examined by.....

Section

File No.

Serial No.

D: 13.2.48

No. S.D. 6050

To

The Collector and Controller of C.S. Civil Station B'lore

Sir,

With ref to your letter No 297/F 48(C.D) dated 22nd January 1948, on the above subject, I am directed to request you to intimate the financial implications of your proposal and also it is necessary to state whether sufficient of the facts that have come to light will be obtained to be utilised as already

[illegible] in this office
Communication no. S D [illegible] 20-12-47.
[illegible] is [illegible].

[illegible]
[illegible]
[illegible]
[illegible]
[illegible]

MRB.25

AIS-67-39

4

No.297/F/48(FD)
End(1)

Office of the Collector and
Controller of Civil Supplies,
Civil Station, Bangalore,
Dated 4th June 1948.

To

The Secretary to the Government of
H.H. the Maharaja of Mysore,
Food & Civil Supplies Department,
Bangalore.

Sir,

11 JUN 1948
7423.

Subject:- Commandeering of premises No.1,
Moore Road, Fraser Town, Bangalore.

With reference to your letter No.SD.6050 dated 13th Feb. 1948, I have the honour to enclose a copy of Proceedings No.RC.934-FR-48 dated 15-5-48 of the House Rent Controller, Civil Station, Bangalore fixing fair rents for the land and buildings with effect from 26-2-1948. In view of the imminent decontrol of fuel, the proposal to commandeer the above premises may be dropped.

The fair rent fixed for the place is Rs.150/- per month (Rs.100/- for the land and Rs.50/- for the various portions of the buildings). I request that Government may be pleased to approve payment of rents at the rates fixed by the House Rent Controller for the Asst. Fuel Officer's room(Rs.8/-) and Milk Centre Hall (Rs.10/-) with effect from 26-2-1948 till such time as these rooms are in our occupation.

I have the honour to be,
Sir,
Your most obedient servant,

Collector & Controller of C.S.

The Civil Station of Bangalore House Rent and Accommodation Control Law, 1946.

PROCEEDINGS OF THE HOUSE RENT CONTROLLER, CIVIL STATION, BANGALORE.

No.R.C.934-FR-48 Dated 15th May 1948.

Read:-Note dated 22nd January 1948 from the Deputy Controller of Civil Supplies, Civil Station, Bangalore, seeking for a fair rent to be declared for the land and to the building situated at No.1, Moore Road, Fraser Town, Bangalore.

1. Enquiry dated 22nd March 1948 and inspection dated 15-4-48.

O R D E R.

The petitioner, Deputy Controller of Civil Supplies, Civil Station, Bangalore, seeks for a fair rent to be declared by the House Rent Controller, for the land and as well as to the building situate on No.1, Moore Road, Fraser Town, Bangalore. The Station Civil Supplies Department occupied the vacant land to set up a Reserve Fuel Depot in 1944. It is stated that the vacant site was allowed to be made use of by the Department free of rent by the late owner-trustee Sri. Achutharaya Mudaliar. On the death of the grantor, the then Collector filed a scheme suit under section 592 of C.P.C. for the management of the schedule property as it was under trusteeship. Further, the same officer fixed a rent of Rs.100/- per mensum for the space occupied by the Reserve Fuel Depot, which sum the Civil Supplies Department continue to pay. Later in the early part of 1946, the Station authorities occupied the Central Hall and opened a Milk Centre in the main building under a general scheme of distributing free milk supply for the destitute children of that locality. In view of the large heaps of fuel stacked by the Civil Supplies Department, costing thousands of rupees they would like to have direct possession of the land and the surroundings with a view to safe guard their big financial investment. Hence the fixing of a fair rent for the property including the land and the buildings thereon is sought for.

The Official Receiver, who is incharge of the property contends, that the rent paid by the petitioner tenant is considerably low in view of the extensive land and the portions of the building accommodation provided for. Further he contends, that a large number of fruit bearing trees such as cocoanut, tamarind and jack fruit trees and their usufruct thereof have been unjustly taken away by the petitioner, though the whole produce should have belonged to the management. The annual yield itself, the counter petitioner estimates at Rs.200/- to Rs.250/-. On the whole the official Receiver expects a rent not less than Rs.250/- per mensum.

The building and the vacant space of land where the reserve stock of fuel is kept have been inspected. The place itself is an extensive piece of land, which roughly measures 700' x 300' surrounded by a compound wall. There have been certain fruit bearing trees sprinkled all over the vacant ~~xxxx

when used for residential purpose. The resultant rent is allocated among the several occupants as follows:-

I Main Building.

i)	B.A. Annaswamy Mudaliar - 1 room	17' x 17'	Rs.8/-
ii)	Assistant Fuel Officers room	"	Rs.8/-
iii)	Official Receiver's Contractor	"	Rs.8/-
iv)	Vacant.	"	Rs.8/-
v)	Milk Centre Hall	39' x 22'	Rs.10/-
vi)	Watchman's cottage		Rs.4/-
vii)	Mali's		Rs.4/-
II	Reserve Fuel Depot and Grains Godowns including the fruit bearing trees with unsufructs thereof 700' x 300'		Rs.100/-
	Total		Rs.150/-

The fair rent will take effect from 26th Feb. 1948, the date on which the petition was received. The counter petitioner is directed to attend to the repairs forthwith.

Sd. N. PUTTARANGASWAMY,
HOUSE RENT CONTROLLER, CIVIL STATION,
Bangalore.

Copy to;- 1) Petitioner, Dy. Controller of Civil Supplies, Civil Station, Bangalore with his office file returned herewith.

2) Counter Petitioner, Official Receiver, Civil Station, Bangalore.

3) Secretary, Municipal Commission, Civil Station, Bangalore.

Sd. x x x x x x
Assistant House Rent Controller.

Copy)

8/2/46

G. R. S. App. F VI—G 2]

SUBJECT .....

.....

.....

TYPED 4-7-48

Diary No. of letter replied to.....

Section A
File No. 15-47
Serial No. 40

General and Revenue Secretariat

( ) }
the 193 . } *Proceedings of the Government of His Highness the Maharaja of Mysore.*

Date of issue 8th July 1948
14.7.48

Signed by Sri. G.K. Nair

Read—

Letter no. 297-F/48 FD dated 4th June 48 from the Collector & Controller of C.S, Civil Station, Bangalore, requesting approval for payment of rent for the room and Hall in the premises ~~Order thereon.—No.~~ no. 1, Moore Road, Fraser Town, used ~~by~~ the office of the Asst. Fuel officer and the milk centre, at the rate of Rs 8/- and Rs 10/- respectively, with effect from 26.2.48, as fixed by the House Rent Controller.

May this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette, English Part ?

(iv) translated ?

(v) placed at the disposal of the press?

(vi) published in the Gazette, Kannada Part ?

order no 84.22 - dy 10.7.40

Sanctioned.

for Secy to Govt
Fd e S. Wks Dept.

To the Collector A.E. & S. Wilts.

Compts to forward Fd

Typed
30.6.40

List of Enclosures

Copied by

Examined by

WD 0279—GPB—22,500—14-4-38